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IN THE HIGH COURT OF KARNATAKA AT BANGALORE

DATED THIS THE 30TH DAY OF JUNE 1998

BEFORE

THE HON'BLE MR.JUSTICE CHANDRASHEKARAIHAH

WRIT PETITION NO.28455/1994

BETWEEN:

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Y.P.Yanjarappa,
s/o Y Parameshwarappa,
major, r/a No.354/11,
Shraddanandavhavan Road,
Vishveswarapuram,
Bangalore 560 004

...Petitioner

(By Sri A Ananda Shetty)

AND:

1. The Bangalore City Corporation
by its Commissioner, B.C.C.,
Bangalore-02.
2. The Assistant Executive
Engineer, West Range,
Rajajinagar, Bangalore.
3. The Assistant Revenue Officer,
Corporation of the City of
Bangalore, Bangalore.

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17-7-98

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WP.28455/94

ORDER

30.6.98

The petitioner is claiming to be the owner of site measuring 30' x 40' formed in Sy.No.50/6 of Kethamaranahalli, Bangalore North Taluk. It is the further case of the petitioner that the site was utilised by the Corporation for the purpose of formation of road without paying any compensation. Therefore he has filed this writ petition for a direction to the Corporation either to pay compensation or to allot an alternative site.

2. Learned counsel for the Corporation submitted that the petitioner ~~has~~ has not produced sufficient document to establish that he is the owner of the said site in order to claim compensation or for allotment of alternative site. In the absence of title deed and other document to show that he is the owner of the said site it is not possible for this Court to issue any ^{positive} direction as sought for in this writ petition.

3. In the result, I pass the following order:

Writ petition is disposed of with a direction to the Corporation to consider ^{the request of the petitioner either to pay} ~~the request of~~ compensation or for an allotment of an alternative site provided the petitioner produces the title

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deed and other documents to establish that he is the owner of the said site and it was utilised by the Corporation for the purpose of formation of road.

Sd/-
JUDGE

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